

**REMARKS/ARGUMENTS**

The Examiner is thanked for the Official Action dated December 1, 2004. The Examiner is also thanked for the interview of February 10, 2005. This amendment and request for reconsideration is intended to be fully responsive thereto.

The specification was objected to as failing to provide proper antecedent basis for the subject matter recited in claim 31, specifically the recitation of "a heat dissipating fin adjacent said second circulation element".

Applicant reiterates that the antecedent basis for the heat dissipating fin adjacent the first circulation element could be found on page 9, lines 3-10 of the specification that describes an element 4 for exchanging and interfacing with air formed from thin corrugated foil, or what is generally known in the art as the heat dissipating fin. The heat dissipating fin (element 4) is also clearly shown in Fig. 1a as adjacent to the first circulation element (3<sub>1</sub> and 3<sub>2</sub>). However, in order to expedite the prosecution of the present application, the specification has been amended to overcome the Examiner's objection.

Claim 20 was objected to because of the minor informalities. Claim 20 has been amended as suggested by the Examiner. No new matter has been added.

Claims 10, 22 and 23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention. Applicant respectfully disagrees. However, in order to expedite the prosecution of the present application, claims 10 and 22 have amended, as agreed to with the Examiner, to overcome these rejections. No new matter has been added.

Claims 1, 2, 7, 18, 20, 21, 30 and 31 were rejected under 35 USC 102 (b) as being anticipated by Wolf (USP 5,080,167). Applicant respectfully disagrees. However, in order to expedite the prosecution of the present application, claim 1 has been amended to better define the present invention over Wolf, including the Examiner's recommendation to recite longitudinal axes of the circulation elements as being parallel. No new matter has been added.

Wolf fails to disclose the main fluid-carrying heat exchanger wherein the first longitudinal axis of the first circulation element is substantially parallel to the second longitudinal axis of the second circulation element, and wherein the first circulation element at least partially circumscribes the second circulation element. Therefore, the rejection of claims 1, 2, 7, 18, 20, 21, 30 and 31 under 35 USC 102 (b) is improper, as Wolf does not meet the standard of anticipation.

Claims 8, 9, 10 (as the rejection of claim 10 under 35 U.S.C. 112, second paragraph, has been overcome by the claim amendment), 17 and 19 were indicated as allowable if rewritten in independent form. As argued above, claim 1, the base claim for claims 8-10, 17 and 19, defines the present invention over the prior art of record. Hence, claims 8-10, 17 and 19 are believed to be in condition for allowance.

Furthermore, new claims 32-35 have been added. Claim 32 corresponds to allowable claim 8 rewritten in independent form including all the limitations of the base claim 1, while claims 33 and 34 are similar to claims 9 and 10, respectively. Likewise, claim 35 corresponds allowable claim 17 rewritten in independent form including all the limitations of the base claim 1.

It is respectfully submitted that claims 1, 2, 7-10, 17-23, 30 and 31, and new claims 32-35 are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution they are invited to contact the undersigned at the number listed below.

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